

1 [Counsel Listed on Signature Page]  
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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

9  
10 INFORMATICA CORPORATION,  
11 a Delaware corporation,  
12 Plaintiff and Counterdefendant,  
13 v.  
14 BUSINESS OBJECTS DATA  
15 INTEGRATION, INC., formerly known as  
ACTA TECHNOLOGY, INC., a Delaware  
corporation,  
16 Defendant and Counterclaimant,  
17

Case No. C 02 3378 EDL

**STIPULATION AND [PROPOSED]  
ORDER RE: FILING AND USE OF  
“JOINT” EXHIBITS DESIGNATED  
BY BOTH PARTIES**

**Pretrial Conference:**

**February 20, 2007, 2:00 P.M.**

18 Pursuant to the Court’s January 25, 2007 Case Management and Pretrial Order for Jury Trial  
19 (Docket No. 406), and the February 2, ,2007 Stipulation and Order Re: Pretrial Submissions (Docket  
20 No. 465), both parties are to lodge with the Court two sets of premarked and tabbed exhibits that each  
21 intends to use at trial. During the meet and confer process, in an effort to decrease the number of  
22 documents lodged with the Court, the parties have agreed to submit only one copy of those exhibits  
23 that both parties have identified as one they intend to use at trial. The parties have agreed that plaintiff  
24 Informatica Corporation (“Informatica”) will include a hard copy of each of these “joint” exhibits in  
25 the two sets that it lodges with the Court. Thus, defendant Business Objects Data Integration, Inc.  
26 (“BODI”) has not lodged hard copies of any “joint” exhibits with the Court, but has retained reference  
27 to each such exhibit in the exhibit list it will file with the Court by cross- referencing plaintiff’s exhibit  
28 number.

The parties have agreed that, although BODI is not required to lodge a hard copy of any “joint” exhibit with the Court, it is entitled to use any “joint” exhibit at trial without limitation, subject to Informatica’s objections, as though it had separately lodged that exhibit with the Court. The parties have agreed that BODI may offer any “joint” exhibit into evidence even if Informatica removes that exhibit from its exhibit list or does not offer that exhibit into evidence during the trial. This agreement does not withdraw or in any way affect each party’s objections to the other party’s use of any “joint” exhibit.

8 The parties respectfully request that the Court grant this stipulation.

Dated: February 12, 2007

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1 Dated: February 12, 2007

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21 **ORDER**

22  
23 PURSUANT TO STIPULATION, IT IS SO ORDERED.

24  
25 Dated: February 12, 2007

